

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

PETER ALFRED PEREZ,

Plaintiff,

v.

MIRELA KECALOVIC, et al.,

Defendants.

Case No. 1:23-cv-444

HON. JANE M. BECKERING

**ORDER**

This is a civil rights action brought by a state prisoner under 42 U.S.C. § 1983. Defendants Kecalovic, Waber, and Killough filed a Motion for Summary Judgment on the Basis of Exhaustion (ECF No. 25). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation (ECF No. 32) on September 9, 2024, recommending that this Court grant the motion, dismiss Plaintiff's remaining claims without prejudice, and close the case. The Report and Recommendation was duly served on the remaining parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Accordingly:

**IT IS HEREBY ORDERED** that the Report and Recommendation (ECF No. 32) is APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the Motion for Summary Judgment on the Basis of Exhaustion (ECF No. 25) is GRANTED.

**IT IS FURTHER ORDERED** that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith because Plaintiff failed to file any objections to the Report and Recommendation. *See McGore v. Wigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007).

A Judgment will be entered consistent with this Order.

Dated: October 7, 2024

/s/ Jane M. Beckering  
JANE M. BECKERING  
United States District Judge